IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	DON WHITEHEAD, ET AL.)	
SERIAL NUMBER:	09/431,737)	٠
)	ART UNIT
FILED:	November 1, 1999	į	2121
)	EXAMINER
FOR:	MAN MACHINE INTERFACE)	THOMAS K. PHAM
	FOR POWER MANAGEMENT)	
	CONTROL SYSTEMS	i	

INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR §§ 1.56, 1.97 AND 1.98

Commissioner of Patents and Trademarks Washington, DC 20231

Dear Sir:

In compliance with the duty to disclose, Applicants submit herewith a copy of documents generated during the course of litigation involving Power Measurement, Inc. and Power Measurement Ltd. vs. General Electric Company, Case Number CV02-0058, in the United States District Court Western District of Washington at Seattle; and General Electric Company vs. Power Measurement, Inc. and Power Measurement Ltd., Case Number 302-CV-78AWT, in the United States District Court District of Connecticut, which are listed on attached form PTO-1449.

Consideration of this Information Disclosure Statement is respectfully requested, since the Examiner may consider the information provided herein material to the patentability of the subject application as defined in 37 CFR §1.56.

Since this Information Disclosure Statement is being filed outside of the period provided for in 37 CFR §1.97(c), but before payment of the Issue Fee, the submission is



being accompanied by an RCE under 37 CFR §1.114.

With regard to the accompanying IDS material, and with particular regard to the Judgment On Consent, Power Measurement, Inc. ("PMI") and Power Measurement Ltd. ("PML") vs. General Electric Company ("GE"), Case Number 3:02-CV-771 (AWT), in the United States District Court District of Connecticut; and Judgment On Consent, General Electric Company vs. Power Measurement, Inc. and Power Measurement Ltd., Case Number 3:02-CV-78 (AWT), in the United States District Court District of Connecticut, listed on attached form PTO-1449, Applicants particularly note that PMI/PML asserted allegations of incorrect patent inventorship and patent invalidity that were denied by GE, whereafter PMI/PML agreed by settlement absent a court order to waive any right to contest patent inventorship and patent validity.

If there are any charges with respect to this Information Disclosure Statement or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

CANTOR COLBURN LLP
Applicants' Attorneys

David Arnold

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Date: June 16, 2003

(Form PTO-1449 [6-4])

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Form PTO-1449 U.S. DEPARTMENT OF COMM (Modified) PATENT AND TRADEMARK C		T OF COMMERCE	ATTY, DOCKET NO.		SERIAL NO.		
(Modified) PATENT AND TRADEMARY Information Disclosure		DEMARK OFFICE	41PR-7349/96-1165A 09/431,737				
Statement by Applicant			APPLICANT				
	(Use several shee			Don Whitehead et al.			
(37 cfr 1.98(b))				FILING DATE GROUP			
			November 1, 1999 2121				
			J.S. PATENT D	OCUMENTS			
EXAMINE R INITIAL	PATENT NUMBER	ISSUE DATE		PA PENTEE	CLA	SS SUBCLASS	FILING DATE IF APPROPRIATE
	4,491,793	01/01/85	Germer et al	L.	324	157	09/21/83
	4,598,248	07/01/86	Germer		324	103	0-4/12/84
	4,620,150	10/28/86	Germer et al		324	103	04/12/84
	4,754,217	06/28/88	Germer et al	Germer et al.		116	03/05/87
	5,317,546	05/31/94	Baich et al.	Baich et al.		9	06/30/93
	5,696,501	12/09/97	Onellette et	21.	340	870.02	09/09/96
	5,764,155	06/09/98	Kertesz et al		340	825.08	04/03/96
	5,768,148	06/16/98	Murphy et a	l	364	492	04/03/96
	5,861,742	01/19/99	Miller et al.		324	156	11/30/95
	5,862,391	01/19/99	Salas et al.		395	750.01	04/03/96
İ.	5,933,092	08/03/99	Ouellette et	al.	340	870.02	03/26/97
	FOREI	GN PATENT OF	R PUBLISHED F	OREIGN PATENT APPL	ICATIC)N	
	DOCUMENT NUI	MRER	PUBLICATION DATE:	COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS
	OTHER	DOCUMENTS (ncluding Author	, Title, Date, Pertinent Pa	ges, Et	c.**)	
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EXAMINER				DATE CONSIDERED	•		
*EXAMINER:	Initial if citation considered, w	hother or not citation	s in conformance with	t MPEP 609; Draw line through c	itation if n	ot	

^{*} Use Publication date indicated on the patent or published application. 37 CFR 1.98(b).
** "The place or publication refers to the name of the journal, magazine or other publication in which the article was published...." Notice of January 9, 1992, 1135 O.G. 13 to 25, at 20.

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(Form PTQ-1449 (6-4))

Form PTO-1449	U.S. DEPARTMENT OF COMMERCE	ATTY, DOCKET NO.	SERIAL NO.	
(Modified)	PATENT AND TRADEMARK OFFICE Information Disclosure	41PR-7349/96-1165A	09/431,737	
	Statement by Applicant	APPLICANT		
(Use several sheets If necessary)		Don Whitehead et al.		
(37 cfr 1.98(b))		FILING DATE	GROUP	
		November 1, 1999	2121	
	OTHER DOCUMENTS (Including Author	, Title, Date, Pertinent Pages,	Etc.**)	
	COMPLAINT AND JURY DEMAND; CV-0 Ltd. vs. General Electric Company; 28 Pgs	2-0058R; Power Measureme	nt, Inc. and Power Measureme	
	ANSWER, AFFIRMATIVE DEFENSES, AND COUNTERCLAIMS OF GENERAL ELECTRIC COMPA JURY DEMAND; CV-0-C058R; Power Measurement, Inc. and Power Measurement Ltd. vs. General Electric Company; 17 Pgs.; March 7, 2002.			
	STIPULATION; CV-02-0058R; Power Measurement, Inc. and Power Measurement Ltd. vs. General Electric Company; 2 Pgs.; March 28, 2002.			
	FIRST AMENDED COMPLAINT AND JURY DEMAND; 3:02-CV-771 (AWT); Power Measurement, In and Power Measurement Ltd. vs. General Electric Company; 28 Pgs.; June 10, 2002.			
	GENERAL ELECTRIC'S ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS TO PLAINTIFFS' FIRST AMENDED COMPLAINT; 3:02-CV-777 (AVT); Power Measurement, Inc. and Power Measurement Ltd. vs. General Electric Company; 18 9s;. July 3, 2002.			
	STIPULATION FOR DISMISSAL WITH PI and Power Measurement Ltd. vs. General	REJUDICE: 3:02-CV-771 (AV	VT): Power Measurement, Inc.	
	JUDGEMENT ON CONSENT; 3:02-CV-771 (AWT); Power Measurement, Inc. and Power Measurem Ltd. vs. General Electric Company; 5 Pgs.; August 12, 2002.			
	COMPLAINT; 3:02-CV-78 (AWT); General Electric Company vs. Power Measurement, Inc. and Powe Measurement Ltd.; 25 Pgs.; January 14, 2002.			
	ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS; 3:02-CV-78 (AWT); General Electr Company vs. Power Measurement, Inc. and Power Measurement Ltd.; 30 Pgs.; April 2, 2002.			
	GENERAL ELECTRIC'S ANSWER AND AFFIRMATIVE DEFENSES TO DEFENDANTS' COUNTERCLAIMS; 3:02-CV-78 (AWT); General Electric Company vs. Power Measurement, Inc. and Power Measurement Ltd.; 10 Pgs.; April 22, 2003.			
	JUDGEMENT ON CONSENT; 3:02-CV-78 (AWT); General Electric Company vs. Power Mcasuremen Inc. and Power Measurement Ltd.; 4 Pgs.; August 7, 2002.			
	STIPULATION FOR DISMISSAL WITH PREJUDICE; 3:02-CV-78 (AWT); General Electric Company vs. Power Measurement, Inc. and Power Measurement Ltd.; 3 Pgs.; August 12, 2002.			
EXAMINER		DATE CONSIDERED		
*EXAMINER: Initial (I ci	itation considered, whether or not citation is in conformance of considered. Include copy of this form with next commun	with MPEP 609; Draw line through c	itation if not	

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"The place or publication refers to the name of the journal, magazine or other publication in which the article was published....* Notice of January 9, 1992, 1133 O.G. 13 to 25, 81 20.

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(Farm PTO-1449 [6-4])

Form PTO-1449	U.S. DCPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	AT IY, DOCKET NO,	SERIAL NO.		
(Modified)	Information Disclosure	41PR-7349/96-1165A	09/431,737		
	Statement by Applicant	APPLICANT			
(Use several sheets if necessary) (37 cfr 1.98(b))		Don Whitehead et al.			
(37 (11 1.96(1))		FILING DATE	CROUP		
		November 1, 1999	2121		
	OTHER DOCUMENTS (Including Author	Title Date Pertinent Pages F	ito **\		
	"PEGASYS Preliminary User Interface, Us	er's Guide", Version 1.0 BETA	A for Windows NT Power		
	Measurement Ltd., Pgs. 1-73, October 1, 1994.				
	"PEGASYS Preliminary Installation and Configuration Guide", Version 1.0 BETA for Windows NT, Power Measurement Ltd., Pgs. 1-31, October 1, 1994.				
	"PEGASYS User's Guide", Version 1.1 for Windows NT, Power Measurement Ltd., March 31, 1995.				
	"PowerSys User's Guide", Version 1.00 for Windows, Power Measurement Ltd., Pgs. 1-41, January 31, 1995.				
	"PowerSys Add-in Module User's Guide", v. 1:00 for Microsoft Excel V5.0, Power Measurement Ltd., Pgs. 1-55, January 31, 1995.				
	Giles, David W. and Robert Lee, "M-SCADA Installation and Operation Manual", Version 3.0, Power Measurement Ltd., August 15, 1991.				
	"Power Measurement 3720 ACM Data Sheet", Power Measurement Ltd., Pgs. 1-11, May 31, 1994.				
	"Power Measurement 3720 ACM Installation and Operation Manual", Power Measurement Ltd., September 1, 1994.				
	"PEGASYS Vista Usor's Guide", Version 2.0, Power Measurement Ltd., September 21, 1998.				
	"PEGASYS VIP User's Guide", Version 2.0, Power Measurement Ltd., September 21, 1998.				
	"Modicon Ethernet to Modbus Plus Gateway User's Guide", GM-EMBP-001 Rev. A, MODICON, Inc., December 1991.				
	"EPE5 Preliminary Installation and Programming Manual", Niobrara Research and Development Corporation, June 9, 1994.				
	"EPE5 Installation and Programming Manual", Niobrara Research and Development Corporation, July 8, 1994.				
	"EPE5 Ethornet Port Expander", Niobrara Research and Development Corporation, March 23, 1994.				
	"EPE5 Installation and Programming Manual", Niobrara Research and Development Corporation, June 12, 1995.				
	"MEB Installation and Programming Manual", Niobrara Research and Development Corporation, November 27, 1995.				
XAMINER		DATE CONSIDERED			
EXAMINER: Initial if of in conformance and in	citation considered, whether or not citation is in confo not considered. Include copy of this form with next co	ormance with MPEP 609; Draw line	through citation if not		

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**The place or publication refers to the name of the journal, magazine or other publication in which the article was published....* Notice of January 9, 1992, 1139 C, 3 to 25, at 20.